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**SUBSTITUTE SENATE BILL 5459**

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**State of Washington                      60th Legislature                      2007 Regular Session**

**By** Senate Committee on Transportation (originally sponsored by Senators Haugen, Swecker, McAuliffe, Benton and Rasmussen)

READ FIRST TIME 01/31/07.

1            AN ACT Relating to Washington state patrol longevity bonuses;  
2 amending RCW 43.43.120; and adding a new section to chapter 43.43 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            NEW SECTION.    **Sec. 1.** A new section is added to chapter 43.43 RCW  
5 to read as follows:

6            (1) Subject to subsection (2) of this section and the availability  
7 of amounts appropriated for this specific purpose, any individual who  
8 completes trooper basic training after January 1, 2007, and serves a  
9 continuous commission with the Washington state patrol of at least four  
10 years is eligible to receive a one-time longevity bonus of five  
11 thousand dollars.

12            (2) The longevity bonus specified in subsection (1) of this section  
13 is subject to the chief's discretion and is not available to a trooper  
14 who, within the first four years of the trooper's commission (a)  
15 accepts a reassignment or transfer to a specialty position or (b)  
16 accepts a transfer of assignment granted at the trooper's request,  
17 unless: (i) The requested transfer is a hardship or intradivision  
18 transfer; or (ii) the requested transfer is a condition of an offer of  
19 promotion within the state patrol.

1 (3) Sums paid under this section do not constitute salary or  
2 compensation for purposes of any pension calculations, disability  
3 benefits, or retirement benefits.

4 **Sec. 2.** RCW 43.43.120 and 2001 c 329 s 3 are each amended to read  
5 as follows:

6 As used in the following sections, unless a different meaning is  
7 plainly required by the context:

8 (1) "Retirement system" means the Washington state patrol  
9 retirement system.

10 (2) "Retirement fund" means the Washington state patrol retirement  
11 fund.

12 (3) "State treasurer" means the treasurer of the state of  
13 Washington.

14 (4) "Member" means any person included in the membership of the  
15 retirement fund.

16 (5) "Employee" means any commissioned employee of the Washington  
17 state patrol.

18 (6)(a) "Cadet," for a person who became a member of the retirement  
19 system after June 12, 1980, is a person who has passed the Washington  
20 state patrol's entry-level oral, written, physical performance, and  
21 background examinations and is, thereby, appointed by the chief as a  
22 candidate to be a commissioned officer of the Washington state patrol.

23 (b) "Cadet," for a person who became a member of the retirement  
24 system before June 12, 1980, is a trooper cadet, patrol cadet, or  
25 employee of like classification, employed for the express purpose of  
26 receiving the on-the-job training required for attendance at the state  
27 patrol academy and for becoming a commissioned trooper. "Like  
28 classification" includes: Radio operators or dispatchers; persons  
29 providing security for the governor or legislature; patrolmen; drivers'  
30 license examiners; weighmasters; vehicle safety inspectors; central  
31 wireless operators; and warehousemen.

32 (7) "Beneficiary" means any person in receipt of retirement  
33 allowance or any other benefit allowed by this chapter.

34 (8) "Regular interest" means interest compounded annually at such  
35 rates as may be determined by the director.

36 (9) "Retirement board" means the board provided for in this  
37 chapter.

1 (10) "Insurance commissioner" means the insurance commissioner of  
2 the state of Washington.

3 (11) "Lieutenant governor" means the lieutenant governor of the  
4 state of Washington.

5 (12) "Service" shall mean services rendered to the state of  
6 Washington or any political subdivisions thereof for which compensation  
7 has been paid. Full time employment for seventy or more hours in any  
8 given calendar month shall constitute one month of service. An  
9 employee who is reinstated in accordance with RCW 43.43.110 shall  
10 suffer no loss of service for the period reinstated subject to the  
11 contribution requirements of this chapter. Only months of service  
12 shall be counted in the computation of any retirement allowance or  
13 other benefit provided for herein. Years of service shall be  
14 determined by dividing the total number of months of service by twelve.  
15 Any fraction of a year of service as so determined shall be taken into  
16 account in the computation of such retirement allowance or benefit.

17 (13) "Prior service" shall mean all services rendered by a member  
18 to the state of Washington, or any of its political subdivisions prior  
19 to August 1, 1947, unless such service has been credited in another  
20 public retirement or pension system operating in the state of  
21 Washington.

22 (14) "Current service" shall mean all service as a member rendered  
23 on or after August 1, 1947.

24 (15)(a) "Average final salary," for members commissioned prior to  
25 January 1, 2003, shall mean the average monthly salary received by a  
26 member during the member's last two years of service or any consecutive  
27 two-year period of service, whichever is the greater, as an employee of  
28 the Washington state patrol; or if the member has less than two years  
29 of service, then the average monthly salary received by the member  
30 during the member's total years of service.

31 (b) "Average final salary," for members commissioned on or after  
32 January 1, 2003, shall mean the average monthly salary received by a  
33 member for the highest consecutive sixty service credit months; or if  
34 the member has less than sixty months of service, then the average  
35 monthly salary received by the member during the member's total months  
36 of service.

37 (16) "Actuarial equivalent" shall mean a benefit of equal value

1 when computed upon the basis of such mortality table as may be adopted  
2 and such interest rate as may be determined by the director.

3 (17) Unless the context expressly indicates otherwise, words  
4 importing the masculine gender shall be extended to include the  
5 feminine gender and words importing the feminine gender shall be  
6 extended to include the masculine gender.

7 (18) "Director" means the director of the department of retirement  
8 systems.

9 (19) "Department" means the department of retirement systems  
10 created in chapter 41.50 RCW.

11 (20) "State actuary" or "actuary" means the person appointed  
12 pursuant to RCW 44.44.010(2).

13 (21) "Contributions" means the deduction from the compensation of  
14 each member in accordance with the contribution rates established under  
15 chapter 41.45 RCW.

16 (22) "Annual increase" means as of July 1, 1999, seventy-seven  
17 cents per month per year of service which amount shall be increased  
18 each subsequent July 1st by three percent, rounded to the nearest cent.

19 (23)(a) "Salary," for members commissioned prior to July 1, 2001,  
20 shall exclude any overtime earnings related to RCW 47.46.040, ~~(( $\text{\textcircled{e}}$ ))~~  
21 any voluntary overtime, earned on or after July 1, 2001, or any sum  
22 paid under section 1 of this act.

23 (b) "Salary," for members commissioned on or after July 1, 2001,  
24 shall exclude any overtime earnings related to RCW 47.46.040 or any  
25 voluntary overtime, lump sum payments for deferred annual sick leave,  
26 unused accumulated vacation, unused accumulated annual leave, holiday  
27 pay, ~~(( $\text{\textcircled{e}}$ ))~~ any form of severance pay, or any sum paid under section 1  
28 of this act.

29 (24) "Plan 2" means the Washington state patrol retirement system  
30 plan 2, providing the benefits and funding provisions covering  
31 commissioned employees who first become members of the system on or  
32 after January 1, 2003.

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